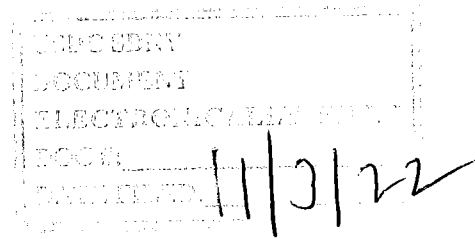


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



In Re:

SEARS HOLDINGS
CORPORATION, et al.,

Debtors.

ORDER

SEARS HOLDINGS CORPORATION,

Appellant,

v.

19 CV 8002 (VB)

CYRUS CAPITAL PARTNERS, L.P.,

Appellee.

OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF SEARS HOLDINGS
CORPORATION, et al.,

Appellant,

v.

19 CV 8237 (VB)

CYRUS CAPITAL PARTNERS, L.P.,

Appellee.

On November 2, 2022, the Court so-ordered the stipulations of partial dismissal in the above-captioned bankruptcy appeals. (19cv8002, Doc. #29; 19cv8237, Doc. #19).

However, by Order dated September 10, 2020, the Court directed the Debtors and the Official Committee of Unsecured Creditors to advise the Court regarding how they wish to proceed within ten days of final resolution of any further appeals of the related Section 507(b) Order entered in In re Sears Holding Corp., 19cv7660 (VB). (19cv8002, Doc. #27; 19cv8237, Doc. #16). On October 14, 2022, the Second Circuit affirmed the Court's judgment, which affirmed the bankruptcy court's judgment. See In re Sears Holding Corp., 51 F.4th 53 (2d Cir. 2022). **To date, the parties have failed to comply with the Court's September 10 Order.**

The stipulations of partial dismissal state: "For the avoidance of doubt, this stipulation does not affect this Appeal against Cyrus Capital Partners, L.P." (19cv8002, Doc. #29;

19cv8237, Doc. #19). Accordingly, by November 4, 2022, the Debtors and the Committee of Unsecured Creditors shall file a letter advising the Court how they wish to proceed, including an explanation of why the case was not dismissed as to Cyrus Capital Partners, L.P.

Dated: November 3, 2022
White Plains, NY

SO ORDERED:

A handwritten signature in black ink, appearing to read 'Vincent Briccetti', written over a horizontal line.

Vincent L. Briccetti
United States District Judge